

MEETINGS TO DATE 10  
NO. OF REGULARS 9  
NO. OF SPECIALS 1

LANCASTER, NEW YORK  
MAY 5, 1986

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 5th day of May 1986, at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR  
RONALD A. CZAPLA, COUNCILMAN  
ROBERT H. GIZA, COUNCILMAN  
DONALD E. KWAK, COUNCILMAN  
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
RICHARD J. SHERWOOD, TOWN ATTORNEY  
NICHOLAS LO CICERO, DEP. TOWN ATTORNEY  
ROBERT LABENSKI, TOWN ENGINEER  
ROBERT L. LANEY, BUILDING INSPECTOR  
MALCOLM J. FRANCIS, JR., ASSESSOR

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:05 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster an electronic microprocessor controlled telecommunications system.

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:10 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

BIDDERS

Ronco Communications & Electronics, Inc.  
595 Sheridan Drive  
Tonawanda, New York 14150

Executone Telecom Inc.  
151 John James Audubon Parkway  
W. Amherst, New York 14228

BID OPENING SCHEDULED FOR 8:00 P.M. CONT'D:

NYMEX Business Information Systems Company  
One M & T Plaza, Room 1402  
Buffalo, New York 14203

AT & T Information Systems  
Norstar Building, Room 400  
12 Fountain Plaza  
Buffalo, New York 14202

Tel Plus Communications, Inc.  
4700 Genesee Street  
Buffalo, New York 14225

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Communications Consultant for examination, tabulation and recommendation.

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M., the Town Board held a Public Hearing to hear all Interested persons upon a proposed amendment to the Sidewalks and Streets Ordinance of the Town of Lancaster, designated Chapter 12 of the Code of the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSERS

None

OPPOSERS

None

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:20 P.M.

The Town Board, later in the meeting, adopted a resolution approving this ordinance change.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town  
Board, held on April 21, 1986, as presented by the Town Clerk, be and hereby  
are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 5, 1986

File: R-MIN

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the services of the Election Inspectors of the Town of Lancaster will be needed for conducting the election process of the Town of Lancaster during the year 1986,

NOW, THEREFORE, BE IT

RESOLVED, that during the year 1986, the Election Inspectors of the Town of Lancaster be paid as follows:

General Primary Day (polls open 15 hours)	- \$63.00 each
Registration Days	- \$ 4.20 an hour
Election Day (polls open 15 hours)	- \$63.00 each
Election Inspectors' Training School Attendance	- \$11.55 each

and,

BE IT FURTHER

RESOLVED, that the Chairman of the Inspectors at each Polling Place be paid an additional sixteen (\$16.80) dollars for Primary Day and Election Day.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

May 5, 1986

File: E-SALARIES

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, DAVID HAWK, 40 Vandenburg Avenue, Lancaster, New York, has petitioned the Town Board of the Town of Lancaster for a rezone of certain property on the south side of Peppermint Road beginning at a point 443 feet from the south line of Peppermint Road and 1620.8 feet from the center line of Ransom Road, from an SA-Suburban Agricultural District to an M1- Light Industrial District, in accordance with Chapter 50-125 of the Code of the Town of Lancaster, and

WHEREAS, this Petition was referred to the Planning Board of the Town of Lancaster for review and recommendation, and

WHEREAS, a Public Hearing on this Petition for a rezone was held by the Town Board of the Town of Lancaster on the 17th day of March, 1986, pursuant to a Public Notice duly published and posted, and

WHEREAS, full opportunity to be heard was given to all parties in interest, and

WHEREAS, a review of the petition and report of the Planning Board, Planning Consultant and Erie County Department of Planning, and the evidence adduced at the said Public Hearing, and the Master Plan and Zoning Map of the Town of Lancaster, reveals the following facts:

1. That the proposed rezone of subject premises as an M1- Light Industrial District Use is to a use which is not presently provided for on the subject premises.
2. That the Zoning Ordinance of the Town of Lancaster was adopted on May 24, 1961, by the Town Board of the Town of Lancaster.
3. That there are areas within the Town of Lancaster which are presently zoned M1-Light Industrial District which would accommodate the petitioner's proposed use.
4. That the Petitioner knows the use group to which the subject premises is zoned, that being SA-Suburban Agricultural, and the use categories within the SA use group as enumerated in the Town Zoning Ordinance.

5. That the Petitioner is on notice, by virtue of the Zoning Ordinance being a public record, that there are areas designated in the Zoning Ordinance and Zoning Map, which are presently zoned to accommodate the petitioner's proposed use.
6. That a zoning reclassification on that part of Peppermint Road could significantly add to traffic congestion in the future.
7. That there are several residential properties in the neighborhood that a reclassification would detract from their value.
8. That the Planning Board and Planning Consultant of the Town of Lancaster took a comprehensive look at the requested rezone and recommended denial.

and

WHEREAS, the denial of this petition for rezone will not deny the reasonable use of real property to the Owner thereof, and

WHEREAS, the reclassification is inconsistent with the surrounding neighborhood in that it would be an island of M1 Use surrounded by SA uses, and therefore, the reclassification would be incompatible with the general welfare of the surrounding community, and

WHEREAS, the proposed reclassification does not fulfill a community need, but to the contrary, only fulfills the individual petitioner's needs, and

WHEREAS, the proposed rezoning to M1-Light Industrial Use would open the premises to less desirable uses found in permitted uses for M1-District, as opposed to uses presently allowed under the SA-Suburban Agricultural District;

NOW, THEREFORE, BE IT

RESOLVED, that upon the testimony and evidence presented at the public hearing and based upon the foregoing findings, the petition of DAVID HAWK be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 5, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, recent residential development on Penora Street within the  
Town of Lancaster has demanded the numbering of houses on such street, and

WHEREAS, after thorough review and consideration, the building  
inspector, police department and fire department recommend the renumbering  
of houses on Penora Street so that there is no confusion in emergency response  
situations, and

WHEREAS, the Town Board deems it in the best interests of the  
general health safety and welfare of town residents to hold a public hearing  
to consider the renumbering of houses on Penora Street within the Town of  
Lancaster to eliminate confusion in emergency response situations,

NOW, THEREFORE, BE IT

RESOLVED, that a public hearing on the proposed renumbering of  
houses on Penora Street within the Town of Lancaster, will be held by the  
Town Board of the Town of Lancaster at the Town Hall, 21 Central Avenue,  
Lancaster, New York, on the 19th day of May, 1986 at 8:10 o'clock P.M., Local  
Time, and that Notice of the time and place of such hearing be published  
in the Lancaster Bee, a newspaper of general circulation in said Town and be  
posted on the Town Bulletin Board, which notice shall be in form attached  
hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 5, 1986



LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 5th day of May, 1986, the said Town Board will hold a public hearing on the 19th day of May, 1986, at 8:10 o'clock P.M., Local Time, to hear all interested persons upon the proposed renumbering of houses on Penora Street within the Town of Lancaster, commencing at the southerly terminus of Penora Street, which is approximately 1,500 feet south of William Street, with said existing numbers to be prefixed by 1,000 and shall run north along Penora Street to the boundary line between the Town of Lancaster and Village of Depew.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

May 5, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, the Director of Administration Finance of the Town of Lancaster, by letter dated April 21, 1986, has requested authorization to attend a workshop entitled "Municipal Automation Project" sponsored by the New York State Conference of Mayors on April 22, 1986, and

WHEREAS, DAVID J. BROWN, Director of Administration Finance attended said workshop on April 22, 1986,

NOW, THEREFORE, BE IT

RESOLVED, that attendance is hereby authorized at a cost not to exceed \$65.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 5, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, JOSEPH and BARBARA M. WALTER, 164 Peppermint Road, Lancaster, New York, have petitioned the Town Board of the Town of Lancaster for a rezone of a certain property on the north side of Peppermint Road, approximately two and one-half (2-1/2) acres in the rear of 164 Peppermint Road, from an SA-Suburban Agricultural District to an M1-Light Industrial District in accordance with Chapter 50-125 of the Code of the Town of Lancaster, and

WHEREAS, this Petition was referred to the Planning Board of the Town of Lancaster for review and recommendation, and

WHEREAS, a Public Hearing on this petition for proposed rezone was held by the Town Board of the Town of Lancaster on the 21st day of April, 1986, pursuant to public notice duly published and posted, and

WHEREAS, full opportunity to be heard was given to all parties in interest, and

WHEREAS, a review of the Petition and report of the Planning Board, Planning Consultant and Erie County Department of Planning, and the evidence adduced at the said Public Hearing, and the Master Plan and Zoning Map of the Town of Lancaster, reveals the following facts:

1. That the proposed rezone of subject premises as an M1-Light Industrial District Use is to a use which is not presently provided for in the subject premises.
2. That the Zoning Ordinance of the Town of Lancaster was adopted on May 24, 1961, by the Town Board of the Town of Lancaster.
3. That there are areas within the Town of Lancaster which are presently zoned M1-Light Industrial District which would accommodate the petitioner's proposed use.
4. That the petitioners know the use group to which the subject premises is zoned, that being SA-Suburban Agricultural, and the use categories within the SA use group as enumerated in the Town Zoning Ordinance.

5. That the Petitioner is on notice, by virtue of the Zoning Ordinance being a public record, that there are areas designated in the Zoning Ordinance and Zoning Map, which are presently zoned to accommodate the petitioners' proposed use.
6. That a zoning reclassification on that part of Peppermint Road could add significantly to traffic congestion in the future.
7. That there are several residential properties in the neighborhood that a reclassification would detract from their value.
8. That the Petitioners were aware of zoning requirements in a previous jurisdiction and therefore were aware of the possibilities of zoning restrictions.
9. That the Petitioner, in requesting a rezone for an approximately two and one-half (2-1/2) acre parcel, could not show how said rezone could be for the general welfare of the community as opposed to himself, and
10. That the Planning Board and Planning Consultant of the Town of Lancaster took a comprehensive look at the requested rezone and recommended denial.

and

WHEREAS, the denial of this petition for rezone will not deny the reasonable use of real property to the owner thereof, and

WHEREAS, the reclassification is inconsistent with the surrounding neighborhood in that it would be an island of M1 use surrounded by SA uses, and therefore, the reclassification would be incompatible with the general welfare of the surrounding community, and

WHEREAS, the proposed reclassification does not fulfill a community need, but to the contrary, only fulfills the individual petitioners' needs, and

WHEREAS, the proposed rezoning to M1-Light Industrial Use would open the premises to less desirable uses found in permitted uses for M1 District, as opposed to uses presently allowed under the SA-Suburban Agricultural District;

NOW, THEREFORE, BE IT

RESOLVED, that upon the testimony and evidence presented at the public hearing and based upon the foregoing findings, the petition of JOSEPH and BARBARA M. WALTER be and hereby is denied.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 5, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town of Lancaster has received from the Erie County Division of Budget and Management a notice of a resolution either introduced or about to be introduced in the Erie County Legislature, which proposes the reduction of sales tax proceeds distributed to school districts and localities by eliminating the sales tax on residential energy sources, and

WHEREAS, the Town Board of the Town of Lancaster has reviewed this proposed resolution and deems in in the public interest of the residents of the Town of Lancaster to note the Town's opposition to this legislation, as it would severely impact the sales tax revenue distributed to the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby memorializes the Erie County Legislature's Finance and Management Committee and the entire Erie County Legislature of its opposition to this proposed legislation, which would reduce the sales tax proceeds distributed to school districts and localities through the elimination of sales tax on residential energy sources, and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to the Finance and Management Committee of the Erie County Legislature; the Clerk of the Erie County Legislature, and Legislators Ralph Mohr and Richard Slisz.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

May 5, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

WHEREAS, the County of Erie desires to renew the lease for the  
Town of Lancaster Highway Garage property, locally known as 3789 Walden  
Avenue, Lancaster, New York, owned by the Town of Lancaster, and

WHEREAS, the Town Attorney has reviewed said lease renewal proposal,  
and

WHEREAS, the Town Board deems it in the public interest to lease  
these premises to the County pursuant to the terms of the lease agreement;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby  
authorizes the Supervisor to execute said lease.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 5, 1-86

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, a Public Hearing was held on the 5th day of May, 1986, for the purpose of amending Chapter 12 of the Code of the Town of Lancaster, entitled 'Sidewalks and Streets Ordinance' of said Code, and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, Notice of said Public Hearing was duly published and posted,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Chapter 12, Sidewalks and Streets Ordinance of the Code of the Town of Lancaster, be amended in form attached hereto and made a part hereof;

2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster, held on the 5th day of May, 1986, and

3. That a certified copy of this amendment be posted on the Town Bulletin Board, and

4. That a certified copy thereof be published in the Lancaster Bee on May 8, 1986, and

5. That Affidavits of Publication and Posting be filed with the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 5, 1986



LEGAL NOTICE  
NOTICE OF ADOPTION  
OF  
AMENDMENT TO  
SIDEWALKS AND STREETS ORDINANCE  
DESIGNATED CHAPTER 12 OF THE CODE  
OF THE TOWN OF LANCASTER

The Sidewalks and Streets Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 12 of the Code of the Town of Lancaster is amended as follows:

CHAPTER 12  
SIDEWALKS AND STREETS

§12.1 Definitions and Requirements is amended as follows:

. . . . .

"B. Requirements.

1. Sidewalks will be required along the entire street frontage of a lot or parcel that abuts arterial or collector street on any and all town streets, or county or state highways, when the lot or parcel is developed, unless expressly waived by the Town Board."

. . . . .

May 5, 1986

STATE OF NEW YORK:  
COUNTY OF ERIE : ss:  
TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of Amendment to the Sidewalk and Streets Ordinance of the Town of Lancaster, with the original thereof filed in my office at Lancaster, New York, on the 5th day of May, 1986, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 5th day of May, 1986.

Robert P. Thill  
Town Clerk and Registrar of  
Vital Statistics

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR KEYSA , WHO MOVED  
ITS ADOPTION, SECONDED BY THE ENTIRE  
TOWN BOARD, TO WIT:

WHEREAS, RAYMOND DOMINO has rendered exemplary service to the Town of Lancaster, for over twenty-nine years, as a Police Officer of the Town of Lancaster, and

WHEREAS, on the occasion of his retirement from Town service on April 30, 1986, the Town Board wishes to take notice of said exemplary service,

NOW, THEREFORE, BE IT

RESOLVED, that upon the occasion of the retirement of RAYMOND DOMINO from the service of the Town of Lancaster Police Department, the Town Board of the Town of Lancaster hereby commends the said RAYMOND DOMINO for his devotion to duty, diligence and exemplary service to and on behalf of the people of the Town of Lancaster, and on behalf of the people of all of the Town of Lancaster, the Town Board extends its sincere best wishes to RAYMOND DOMINO, in all his future endeavors and for good health and prosperity in his future years.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 5, 1986

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

Claim No. 1473 to Claim No. 1615 Inclusive.

Total amount hereby authorized to be paid:

\$149,627.26

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 5, 1986

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are  
hereby approved and the Issuance of Building Permits be and are hereby  
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
70	Marrano/Marc Equity	62 Pheasant Run La.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
71	Nigro Devel. Corp.	54 Pheasant Run La.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
72	M/M David Stulak	33 Rollingwood Dr.	ER. DECK, POOL
73	Iona Builders	26 Squirrel Run La.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
74	Iona Builders	29 Partridge Wk.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
75	Paul McAllister	95 Stony Rd.	EXT. FR. SIN. DWLG, PVT, GARAGE
76	M/M Ron Stevens	5247 William St.	EXT. FR. SIN. DWLG
77	Carl Markiewicz	19 Barton Rd.	ER. FR. PVT. GARAGE
78	Nicosia Cont.	70 Country Pl.	ER. FR. SIN. DWLG, PVT. GARAGE
79	Marrano/Marc Equity	60 Pheasant Run La.	ER. FR. SIN. DWLG, PVT. GARAGE
80	Allan Zollitsch	37 Taft Ave.	REMOD., EXT. FR. SIN. DWLG
81	Jos. A. Savash	475 Lake Ave.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE

and,

BE IT FURTHER

RESOLVED, that Building Permit Application No. 81 be and is hereby  
approved with a waiver of the Town Ordinance requirement for sidewalks.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 5, 1986

File: R-BLDG

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:-

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has forwarded an agreement to spend town highway funds for the year 1986 for the repair of the highways recited therein, and

WHEREAS, the Town Board has previously discussed this Agreement for the Expenditure of Highway Funds for Road Repair with the Highway Superintendent, and

WHEREAS, State Law requires the Town Board to enter into an Agreement with the Highway Superintendent for such expenditure of town highway funds on road repairs, and

WHEREAS, the Highway Superintendent proposes general repairs in the sum of \$340,585, and lists under Article 2 of the Agreement the specific improvements to several roads on which the expenditures, as listed, shall be no greater than \$300,000;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the agreement to spend town highway funds as submitted by the Town Highway Superintendent for improvements on the roads as listed in said Agreement which, as recited; shall not exceed the total sum of \$300,000, and

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster is directed to advise the Highway Superintendent that any expenditure over the stated \$300,000 up to a maximum \$340,585, shall need the further approval of the Town Board of the Town of Lancaster in accordance with the law of the State of New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

May 5, 1986

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano/Marc Equity).  
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1986.
2. Public Improvement Permit Authorization - Country View East Subdivision, Phase II (Marrano/Marc Equity).  
On August 19, 1985, the Town Board approved Public Improvement Permit Nos. 81 (water line), 82 (pavement and curbs), 83 (storm sewer) 84 (street lighting) and 85 (sidewalks). On December 2, 1985, Public Improvement Permit Nos. 81, 82, and 83 were accepted by the Town Board.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase III (Marrano/Marc Equity).  
On April 7, 1986, the Town Board approved Public Improvement Permit Nos. 86 (water line), 87 (pavement and curbs), 88 (storm sewer) 94 (street lighting) and 90 (sidewalks).
4. Public Improvement Permit Authorization - Heritage Hills Subdivision  
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
5. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center  
The Town Board authorized issuance of P.I.P. No. 79 (water main) and No. 80, (retention basin) on June 6, 1983.
6. Reconstruction of Intersection, Genesee Street and Ransom Road  
On May 5, 1986, the Supervisor reported that this intersection is presently under construction.
7. Rezone Petition - Rande and Karen Basher  
On April 21, 1986, this petition was referred to the Planning Board for review and recommendation.
8. Rezone Petition - Ecology & Environment Inc.  
On April 21, 1986, this petition was referred to the Planning Board for review and recommendation.
9. Rezone Petition - David Hawk  
On May 5, 1986, the Town Board denied this rezone request. The Town Clerk was directed to remove this item from future Town Board agendas.
10. Rezone Petition - Barbara and Joseph Walter  
On May 5, 1986, the Town Board denied this rezone request. The Town Clerk was directed to remove this item from future Town Board agendas.
11. Rezone Petition - Harold J. Zoerb  
On April 7, 1986, a Public Hearing was held on this petition and the Town Board reserved decision.
12. Traffic Study - Penora Street  
On March 18, 1986, the Police Chief was requested to conduct a traffic study on this street.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:13. Traffic Study - Signal, Bowen Road and William Street

On October 19, 1984, the County Deputy Highway Commissioner informed the Board that visibility restrictions have been removed at this intersection and that the present traffic control flasher was found to be adequate.

14. Traffic Study - Speed Reduction, Pavement Road, Broadway North to Walden Avenue

On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.

15. Traffic Study - Speed Reduction, Ransom Road, Broadway North to Genesee Street

On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.

16. Zoning Ordinance and Map Update

On June 15, 1983, Consultant Richard Brox conveyed a draft to the Town Board and Planning Board. Numerous joint sessions have been held to resolve areas of concern. SEQR review, on the ordinance only, was held on July 18, 1984. The proposed map has not been subjected to SEQR review.

PERSONS ADDRESSING TOWN BOARD:

Mr. Richard M. Blewett, Attorney, 343 Elmwood Avenue, Buffalo, New York, representing residents of the Harris Hill/Wehrle Drive area, addressed the Town Board at length relative to the area residents' concern and opposition to the proposed Harold Zoerb rezone.

Mr. Richard Crossetti, 4135 David Court, Clarence, New York, representing Councilman Daniel M. Gregorio of the Town of Clarence, presented and read to the Town Board a letter from Councilman Gregorio expressing his concerns and opposition to the Harold Zoerb rezone.

Mr. William Kornacki, 503 Pavement Road, Lancaster, New York, asked the Town Board if they knew of any federal or state program that would assist him in the loss of revenue he is experiencing due to the closing of Genesee Street at Ransom Road for intersection repairs.

The Board recommended that he contact Assemblyman Graber and Senator Volker in this matter.

Mr. Frank Rago, 177 Pavement Road, Lancaster, New York, asked what options Mr. Hawk and Mr. Walter have available to them in light of the fact that their rezone petitions for light industrial districts on Peppermint Road have been denied by the Town Board.

The Supervisor informed Mr. Rago of the possible judicial challenge to the Town Board and the possibility of an appeal to the Zoning Board of Appeals in this matter.



COMMUNICATIONS:DISPOSITION

392. Highway Supt. to Supervisor - Transmittal of Agreement to Spend Town Highway Funds for execution.	<u>TOWN ATTORNEY FOR</u> <u>SUSPENDED RESOLUTION</u>
393. Town Clerk to Zoning Board Members, Building Inspector and Dept. Town Attorney - Transmittal of variance petition of M/M J. Michael Fitzpatrick.	<u>R &amp; F</u>
394. County Dept. of Environment and Planning to Supervisor - Transmittal of lease document for rental of Highway Garage by ECSD No. 4.	<u>R &amp; F</u>
395. Off. of Revenue Sharing to Supervisor - Notification of Town's compliance with audit requirements under Act.	<u>R &amp; F</u>
396. PEBSCO to Supervisor - Reiteration of Deferred Compensation Plan program.	<u>TOWN ATTORNEY</u>
397. HUD to Supervisor - Invitation to National Fair Housing Month program on 4/30/86 at Cheektowaga.	<u>R &amp; F</u>
398. N.Y.S. Assoc. for Retarded Children, Inc. to Supervisor - Formal notice of intent to establish residential facility in Town.	<u>TOWN ATTORNEY</u>
399. Robert Schenk to DCO - Resignation as Ass't. DCO effective 5/2/86.	<u>R &amp; F</u>
400. NYSDOT to Supervisor - Notification of delay of check re: CHIPS.	<u>SUPERVISOR</u> <u>HIGHWAY SUPT.</u>
401. Henry Pysch to Town Clerk - Notification of retirement effective 6/28/86.	<u>R &amp; F</u>
402. Arlene Mertzluft to Town Board - Notification of retirement effective 6/27/86.	<u>R &amp; F</u>
403. Town Clerk to Supervisor - Monthly report for April 1986.	<u>R &amp; F</u>
404. Town Clerk to Town Board - Notice of various contracts expiring 7/86.	<u>TOWN ATTORNEY</u>
405. Planning Board to Town Board - Minutes from meeting held 4/16/86.	<u>R &amp; F</u>
406. D.C.O. to Town Board - Monthly report for April 1986.	<u>R &amp; F</u>
407. NYSDOT to Supervisor - Notice of preconstruction meeting re: Transit Rd. project to be held 5/1/86 in Buffalo.	<u>R &amp; F</u>
408. N.Y.S. Comm. on Cable TV to Supervisor - Notice of hearing to be held 5/6/86 at Albany re: proposed rules.	<u>R &amp; F</u>
409. Sen. Volker to Supervisor - Acknowledgement of letter supporting legislation extending time for collection of taxes.	<u>R &amp; F</u>

COMMUNICATIONS CONT'D.:DISPOSITION

410. Dir. of Admin. Finance to Town Board -  
Request authorization to attend workshop on  
4/22/86.
411. Residents of Lancaster, Williamsville and  
Clarence to Town Board -  
Various petitions opposing Zoerb rezone  
petition.
412. Recreation Commission to Town Board -  
Minutes from meeting held 4/19/86.
413. G.L. Allen Assoc. to Town Clerk -  
Invoice for telecommunications activity  
hours accrued.
414. Walter M. Ciszewski to Town Board -  
Notice of resignation effective 6/28/86.
415. NYSDOT to town Clerk -  
Designation of Transit Rd. project expiring  
on 12/31/86.
416. Youth Bureau Ex. Dir. to Town Clerk -  
Recommendation of members to Youth Bureau  
for term 6/1/86 to 5/31/88.
417. Erie County Assoc. of Town Superintendents of  
Highways to Supervisor -  
Sample resolution requesting increase of  
\$300 per lane re: snow removal contract.
418. Town Engineers to Town Board -  
Review of Flood Insurance Rate Map re:  
proposed homesite at 479 Lake Ave.
419. County Dept. of Health to Town Board -  
Transmittal of Approval of Complete Works for  
Water Supply Improvement for Country View  
East Subdivision.
420. Off. of Revenue Sharing to Supervisor -  
Notice of satisfaction re: audit reporting  
requirements of Revenue Sharing Act for 1984.

R &amp; F

R &amp; F

R &amp; F

R &amp; F

R &amp; F

R &amp; F

TOWN CLERK FOR  
RESOLUTION - 5/19/86

R &amp; F

R &amp; F

R &amp; F

R &amp; F

The Supervisor requested a suspension of the necessary rule for  
immediate consideration of the following communications -  
SUSPENSION GRANTED.

421. Residents of Lancaster and Williamsville to  
Town Board -  
Petitions opposing Zoerb rezone petition.

R &amp; F

422. Lancaster Residents to Town Board -  
Petition opposing Hawk rezone petition.

R &amp; F

423. County Div. of Highways to Town Attorney -  
Information re: driveway paralleling Ransom  
Rd.

R &amp; F

424. Sen. Daniel Moynihan to Supervisor -  
Comments re: General Revenue Sharing.

SUPERVISOR

425. Mrs. O. Cleveland to Supervisor -  
Request removal of dead tree.

COUNCILMAN CZAPLA

426. Edward J. Krafchak to Town Board -  
Resignation as Dep. Bingo Inspector.

R &amp; F

427. Supervisor to Town Board -  
1985 Annual Report - Budget Amendment.

R &amp; F

ADJOURNMENT:

ON MOTION OF COUNCILMAN GIZA, AND SECONDED BY THE ENTIRE TOWN BOARD  
AND CARRIED, the meeting was adjourned at 10:45 P.M. out of respect to:

JAMES ARCADI ✓

LEONARD VAN SPLUNDER ✓

RICHARD GRACZYK ✓

Signed Robert P. Thill  
Robert P. Thill, Town Clerk